



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, MONDAY, JANUARY 27, 2020

No. 17

Senate

The Senate met at 1:05 p.m. and was called to order by the Chief Justice of the United States.

TRIAL OF DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES

The CHIEF JUSTICE. The Senate will convene as a Court of Impeachment.

The Chaplain will lead us in prayer.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord, through all the generations, You have been our mighty God. As millions mourn the deaths of Kobe and Gianna Bryant and those who died with them, we think about life's brevity, uncertainty, and legacy. Remind us that we all have a limited time on Earth to leave the world better than we found it.

As this impeachment process unfolds, give our Senators the desire to make the most of their time on Earth. Teach them how to live, O God, and lead them along the path of honesty. May they hear the words of Jesus of Nazareth reverberating down the corridors of the centuries: "And you shall know the truth, and the truth shall make you free."

And Lord, thank You for giving our Chief Justice another birthday. Amen.

PLEDGE OF ALLEGIANCE

The Chief Justice led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE JOURNAL

The CHIEF JUSTICE. Please be seated. If there is no objection, the Journal of proceedings of the trial is approved to date.

Without objection, it is so ordered.

The Sergeant at Arms will make the proclamation.

The Sergeant at Arms, Michael C. Stenger, made the proclamation as follows:

Hear ye! Hear ye! Hear ye! All persons are commanded to keep silence, on pain of imprisonment, while the Senate of the United States is sitting for the trial of the articles of impeachment exhibited by the House of Representatives against Donald John Trump, President of the United States.

The CHIEF JUSTICE. The majority leader is recognized.

Mr. McCONNELL. Mr. Chief Justice, as the Chaplain has indicated, on behalf of all of us, happy birthday. I am sure this is exactly how you had planned to celebrate the day.

The CHIEF JUSTICE. Thank you very much for those kind wishes, and thank you to all the Senators for not asking for the yeas and nays.

(Laughter.)

ORDER OF PROCEDURE

Mr. McCONNELL. For the information of all Senators, we should expect to break every 2 or 3 hours and then at 6 o'clock a break for dinner.

And with that, Mr. Chief Justice, I yield the floor.

The CHIEF JUSTICE. Pursuant to the provisions of S. Res. 483, the counsel for the President have 22 hours and 5 minutes remaining to make the presentation of their case. The Senate will now hear you.

The Senate will now hear you, Mr. Sekulow.

OPENING STATEMENT—CONTINUED

Mr. Counsel SEKULOW. Mr. Chief Justice, Members of the Senate, managers, what we have done on Saturday is the pattern that we are going to continue today, as far as how we are going to deal with the case. We deal with transcript evidence. We deal with publicly available information. We do not deal with speculation, allegations that are not based on evidentiary standards at all.

We are going to highlight some of those very facts we talked about very quickly on Saturday. You are going to

hear more about that. I want to give you a little bit of an overview of what we plan to do today in our presentation.

You will hear from a number of lawyers. Each one of these lawyers will be addressing a particular aspect of the President's case. I will introduce the issues that they are going to discuss, and, then, that individual will come up and make their presentation. We want to do this on an expeditious but yet thorough basis.

Let me start with, just for a very brief few moments, taking a look at where we were. One of the things that became very clear to us as we looked at the presentation from the House managers was the lack of focus on that July 25 transcript. That is because the transcript actually doesn't say what they would like it to say. We have heard—and you will hear more—about that in the days ahead. We know about Mr. SCHIFF's version of the transcript. You heard it. You saw it.

I want to keep coming back to facts—facts that are undisputed. The President, in his conversation, was clear on a number of points, but so was President Zelensky. I mentioned that at the close of my arguments earlier, that it was President Zelensky who said: No pressure, I didn't feel any pressure.

And, again, as this kind of reading of minds of what people were saying, I think we need to look at what they actually said and how it is backed up.

It is our position as the President's counsel that the President was at all time acting under his constitutional authority, under his legal authority, in our national interest, and pursuant to his oath of office. Asking a foreign leader to get to the bottom of issues of corruption is not a violation of an oath.

It was interesting because there was a lot of discussion the other day about Lieutenant Colonel Vindman, and one of the things that we reiterate is that

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S579